

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA

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June 17, 2008

NOTICE OF CORRECTION

From: Clerk's Office

Case Style: Robert Twyman, Jr. v. Alabama Department of Corrections, et al.

Case Number: 2:06-cv-833-MEF

Pleading : #67 - Notice of Discovery filed as a Response to #63 Request for Admissions

Notice of Correction is being filed this date to advise that the referenced pleading was e-filed on 6/16/2008 without the Respondents' Answers to Request for Admissions attached.

The Answers to Request for Admissions are attached to this notice.

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**ROBERT TWYMAN, JR. (#147435),)
Petitioner,)
vs.) CIVIL ACTION NO. 2:06-CV-833-MEF
ALABAMA DEPARTMENT)
OF CORRECTIONS, et al.,)
Respondents.)**

**RESPONDENTS' ANSWERS TO PETITIONER'S
REQUEST FOR ADMISSIONS**

Come now Respondents, by and through undersigned counsel, and submit these responses to Petitioner's request for admissions. Respondent Holt states as follows:

1. Ms. Holt, admit the truth; you have no personal knowledge of petitioner's being classified as a parole violator in 1997 or 1998, cause you assumed this position as Director in 2003.

RESPONSE:

Respondents object as this question is irrelevant. Without waiving the objection, Respondents deny that Ms. Holt was Director of Central Records Division until 2003, and as Director, she is the custodian of all Inmates' Central Records files and documents.

2. Ms. Holt, admit the truth; Court Document #39, pg. 9 or 10, shows at the top of the page, it was entered into the IC network on 2/20/04.

RESPONSE:

Respondents object to this admission as all documents speak for themselves.

3. Ms. Holt, admit the truth; the so-called parole warrant was cancelled on 3/24/04, by the BOC/Central Record Office as described in CR-04-1744, pg. 18.

RESPONSE:

Respondents object to this admission as all documents speak for themselves.

4. Ms. Holt, admit the truth; petitioner had completed both the (5) years sentences for Possession of Controlled Substance, before 5/27/96.

RESPONSE:

Respondents deny. Specifically, Inmate Twyman was paroled May 27, 1996, he had not expired these sentences.

5. Ms. Holt, admit the truth; petitioners' ACJIC rap sheet does not show him ever being arrested as a parole violator.

RESPONSE:

Respondents admit. Specifically, the NCIC printout does not indicate an arrest as a parole violator.

6. Ms. Holt, admit the truth; the ACJIC rap sheet shows "Advisory Notice of Possible Alabama Probationer," of the petitioner.

RESPONSE:

Respondents deny. Specifically, the NCIC printout does indicate Advisory Notice: Possible Alabama Probationer.

7. Ms. Holt, admit the truth; the ACJIC rap sheet shows petitioner as being under supervision-custody, without any violation of supervision, since 5/27/96.

RESPONSE:

Respondents deny. The NCIC printout does indicate Inmate Twyman was paroled on May 27, 1996; however, it does not indicate without any violation of supervision.

8. Ms. Holt admit the truth; the ACJIC rap sheet shows petitioner's last arrest was 2/13/04 in Talladega, Alabama for FTA Child Support, and nothing concerning any parole violations.

RESPONSE:

Respondents deny. Specifically, the last arrest indicated on the NCIC printout occurred February 13, 2004.

9. Ms. Holt admit the truth; the ACJIC rap sheet shows petitioner is being housed at Elmore Corrections Facility for Possession of Controlled Substance.

RESPONSE:

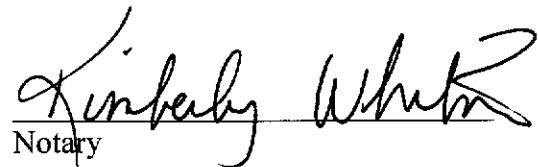
Respondents admit. The NCIC printout does indicate the location of Inmate Twyman as Elmore Correctional Facility.

10. Ms. Holt admit the truth; the ACJIC rap sheet reveals the truth of this matter, petitioner's presently incarcerated pursued to a sentence that has expired and his parole of 5/27/96 has never been revoked.

RESPONSE:

Respondents deny. Specifically, the NCIC printout does not indicate that Inmate Twyman has expired his sentence, nor does it indicate that his parole has ever been revoked.


Kathy Holt


Kimberly White
Notary

My commission expires 10-27-09.

Respectfully submitted this the 16th day of June, 2008.

Kim T. Thomas (THO115)
Deputy Attorney General
General Counsel

/s/ Tara S. Knee
Tara S. Knee (KNE003)
Assistant Attorney General
Assistant General Counsel

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of June, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following (or by U.S. Mail to the non-CM-ECF participants):

Inmate Robert Twyman, Jr.
AIS #147435
Elba Work Release Center
P.O. Box 710
Elba, Alabama 36323

/s/ Tara S. Knee

Tara S. Knee (KNE003)
Assistant Attorney General
Assistant General Counsel